

REMARKS

Claims 1-7 are all the claims pending in the application.

I. Claim Rejections under 35 U.S.C. § 102

Claims 3-5 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Shinozuka et al. (U.S. Patent No. 6,404,728). To be an “anticipation” rejection under 35 U.S.C. § 102, the reference must teach every element and limitation of the Applicant’s claims. Applicant submits that the Shinozuka reference fails to teach every element and limitation of claims 3-5.

Specifically, Applicant submits that Shinozuka fails to teach a lens drive device in which a lens holder and a suspension base are integrally molded out of a resin on the two end sides of a plurality of wire elastic members.

Shinozuka teaches a lens holder 3 and a base 4 that are connected via wires 6. The wires 6 are adhered to the lens holder 3 and base 4, but the wires 6 are not integrally molded with the lens holder 3 and base 4. The Examiner appears to “ignore” this limitation by alleging that integrally molded feature “can only be given weight to the extent that it/they affect(s) the structure of the completed lens device.” However, “[a]ll words in a claim must be considered in judging the patentability of that claim against the prior art.” *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970). Thus, the Examiner is not free to simply “ignore” words in the claims which are not taught in the prior art and dismiss them as not given patentable weight. *Id.*

Furthermore, the phrase “integrally molded” does affect the structure of the completed lens device. For example, an illustrative, non-limiting example of a device having two parts that are integrally molded is structurally different from a device in which two parts are attached using an adhesive. In fact, the device that is integrally molded has a tight configuration and may not be dependent upon adhesive to maintain its connection. Thus, such an exemplary device has structural advantages over a device that is not integrally molded. In other words, an integrally molded device is structurally difference from a non-integrally molded device. Therefore, using the Examiner’s own reasoning, the limitation “integrally molded” should be given patentable weight because it clearly affects the structure of certain embodiments of the completed lens device. When the terms “integrally molded” is given its proper patentable weight, it becomes clear that claims 3-5 are not anticipated by Shinozuka because the lens drive device of Shinozuka uses an adhesive to connect the wires 6, lens holder 3 and base 4, and does not “integrally mold” these elements.

Additionally, for similar reasons as discussed above, Shinozuka fails to teach that the connection wires for connecting the drive coils are integrally molded within the lens holder. As discussed above, the Examiner ignores the “integrally molded” limitation and admits that the connection wires are connected via adhesive. Therefore, as discussed above, once this limitation is given its proper patentable weight, it is clear that Shinozuka fails to anticipate claims 3-5.

Therefore, Applicant submits that Shinozuka fails to teach each and every limitation of claims 3-5. Applicant requests that the rejection of claims 3-5 under 35 U.S.C. § 102 be reconsidered and withdrawn.

II. Claim Rejections under 35 U.S.C. § 103

Claims 1-2 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Shinozuka et al. in view of Applicant's Prior Art in Figure 1 and pages 7-9 of the specification. To establish a *prima facie* case of obviousness the Examiner must show that the prior art references, when combined, teach or suggest all of the claim limitations. *See MPEP § 2143*. Applicant submits that the references cited above by the Examiner fail to teach or suggest all of the limitations of claims 1 and 2. Specifically, the reference fail to teach a lens holder which is integrally molded with connection wires for connecting the drive coils.

As discussed above, the phrase "integrally molded" should be given patentable weight because it affects the structure of the claimed device. Also, as discussed above, Shinozuka fails to teach this limitation. Applicant's Prior Art of Fig. 1 similarly fails to teach this limitation. As discussed in detail on page 9 of the specification, connection of the drive coils 12 are electrically connected using connection wires 13 after the coils are fixed on the lens holder. Thus, the connection wires are not integrally molded with the lens holder. As Applicant explains, this complicates the manufacturing process. *See specification, page 9*. Therefore, once this limitation is given its proper patentable weight, it is clear that neither Shinozuka nor Applicant's Prior Art teach a lens holder which is integrally molded with connection wires for connecting the drive coils. Thus, the cited references, when combined, fail to teach or suggest every limitation of claims 1 and 2.

In view of the above remarks, Applicant respectfully requests that the rejection of claims 1-2 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

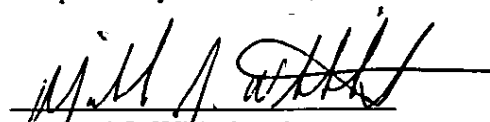
AMENDMENT UNDER 37 C.F.R. § 1.111
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In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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